

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

USDC DNJ
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: _____

IN RE: COURT OPERATIONS UNDER THE :
EXIGENT CIRCUMSTANCES CREATED BY : **STANDING ORDER 2020-09**
COVID-19, MODIFICATIONS OF :
STANDING ORDERS 2020-02, 2020-03 :
and 2020-04 :

WHEREAS, the Governor of the State of New Jersey has declared a State of Emergency in response to the spread of the coronavirus (COVID-19), and has implemented a stay-at-home order of indefinite duration; and

WHEREAS, the Centers for Disease Control and Prevention and other public health authorities have advised taking precautions to reduce the possibility of exposure to COVID-19 and to slow the spread of the disease; and

WHEREAS, preventing the spread of COVID-19 requires limiting public contact to essential matters; and

WHEREAS, participants in court proceedings are necessarily often in close proximity to one another;

NOW, THEREFORE, in order to further public health and safety, the United States District Court for the District of New Jersey ("Court") determines that it is necessary to extend dates and time periods set forth in its prior **Standing Orders 2020-02, 2020-03 and 2020-04**, and issues the following Order:

1. The Court, having previously issued its **Standing Order 2020-02**, continuing all civil and criminal jury selections and jury trials in the District of New Jersey scheduled to begin before April 30, 2020, now determines that it is necessary to extend the terms of that Order through May 31, 2020. Therefore, the Court ORDERS that, effective this date, all civil and criminal jury selections and jury trials scheduled to begin through May 31, 2020 before any district or magistrate judge in any courthouse in the District of New Jersey are continued pending further Order of the Court. The Court may issue further Orders concerning future general continuances of any matters as may be deemed necessary and appropriate. All jury selections and trials impacted by this Order will be reset by further Order of the assigned judicial officer.

2. Additionally, the Court further ORDERS that there shall be no scheduling of jury trials before May 31, 2020.

3. Regarding criminal matters, the Court's **Standing Order 2020-02** also provided

that the time period of March 16, 2020 through April 30, 2020 was "excluded time" under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). As the Court now finds it necessary to extend the continuances through May 31, 2020, the Court ORDERS that the time period of March 16, 2020 through May 31, 2020 shall be "excluded time" under the Speedy Trial Act. The Court finds that the ends of justice served by taking such action materially outweigh the best interests of the public and the parties in a speedy trial. The Court may by further Order extend the period of exclusion as circumstances may warrant, and the assigned judicial officer may, by Order, also do so in connection with any specific proceeding.

4. The Court's **Standing Order 2020-02** further provided for the continuance of all Central Violations Bureau (CVB) proceedings between March 16, 2020 and April 30, 2020. The Court hereby extends that period and ORDERS that all CVB proceedings between March 16, 2020 and May 31, 2020 are continued, pending further Order of Court.

5. The Court also extends the prohibition in **Standing Order 2020-02** with regard to grand jury empanelment and ORDERS that no new grand juries will be empaneled during the period of March 16, 2020 to May 31, 2020, or such other date set by the Court.

6. The Court's **Standing Order 2020-03** specified that absent further order of the Court, the time period of March 16, 2020 through April 30, 2020 was "excluded time" in *all* criminal proceedings in this District under the Speedy Trial Act, including those proceedings commenced by complaint. The Court hereby ORDERS that such period of "excluded time" shall be extended and now covers the period of March 16, 2020 through May 31, 2020. The Court further ORDERS that such continuance shall also apply to any time limits established by the Interstate Agreement on Detainers, 18 U.S.C. app. 2, § 2 (art. III).

7. In addition to the Court's **Standing Order 2020-04**, the Court hereby ORDERS that all filing and discovery deadlines in civil matters that currently fall between March 25, 2020 and April 30, 2020, provided in **Standing Order 2020-04**, remain unchanged, and ORDERS all filing and discovery deadlines in civil matters that currently fall between May 1, 2020 and May 31, 2020 are extended by 30 days, unless the presiding judge in an individual case directs otherwise after the date of this Order. This extension does not apply to any scheduled dates of conferences, which are controlled by the presiding judge, nor does it apply to those deadlines already extended by **Standing Order 2020-04**.

8. The Court further ORDERS that, apart from the modifications set forth above, the provisions of **Standing Orders 2020-02, 2020-03 and 2020-04** remain otherwise unaffected and in full force and effect.

9. The Court also ORDERS that this Standing Order does not toll or extend any applicable statute of limitations.

10. The Court ORDERS that any litigant in a civil matter may seek such relief from this Order that he/she deems necessary due to emergent circumstances.

11. The Court ORDERS that additional Orders addressing COURT OPERATIONS UNDER THE EXIGENT CIRCUMSTANCES CREATED BY COVID-19 will be entered as circumstances warrant, and that this Standing Order will expire no later than May 31, 2020, unless extended by further Court order.

DATE: April 17, 2020


Hon. Freda L. Wolfson
U.S. Chief District Judge
District of New Jersey